

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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FILED

DEC 27 2011

**SECRETARY, BOARD OF
OIL, GAS & MINING**

IN THE MATTER OF THE PETITION BY :
THE DIVISION OF OIL, GAS AND :
MINING FOR AN ORDER TO: :
(1) WITHDRAW NOI S/003/0076 FOR :
SATURDAY NIGHT #1 and SATURDAY :
NIGHT #2; (2) FORFEIT LETTER OF :
CREDIT NO. G48-2007 FROM BANK, OF :
JACKSON COUNTY, FA.; TO :
AUTHORIZE A CIVIL SUIT TO :
COLLECT THE AMOUNT OF THE :
SURETY; AND TO TAKE ALL OTHER :
ACTIONS NECESSARY TO RECLAIM :
THE LANDS AT SEC. 4, T6N, R19W :
SLB&M, BOX ELDER COUNTY, UTAH.

NOTICE OF HEARING

Docket No. 2012-004
Cause No. S/003/076

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING
MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, January 25, 2012, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. as provided for by Utah Code Ann. § 40-8-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Notice of Agency Action that the Board enter an Order:

1. Withdrawing Notice of Intention No. S/003/0076 due to the failure of the Respondent to satisfactorily perform reclamation of the land or claim responsibility for reclamation costs; and
2. Forfeit the amounts due on the Letter of Credit from the Bank of Jackson County; and
3. Authorizing the Utah Attorney General to pursue a civil suit to seek recovery of the amount of the surety and to bring other actions as appropriate to recover costs of reclamation and associated costs; and

4. Authorizing the Division to take all actions necessary to reclaim the property.
5. Providing such other relief as may be just and equitable under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.


Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 27th day of December, 2011.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
James T. Jensen, Chairman



/s/ Julie Ann Carter
Secretary to the Board
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5277

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2012-004, Cause No. S/003/076 to be mailed with postage prepaid, this 28th day of December, 2011, to the following:

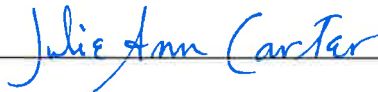
Frank A. Baker
Law Office
Counsel for Bank of Jackson County
4421 Lafayette Street
Marianna, FL 32446

Michael S. Johnson
Assistant Attorneys General
Utah Board of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
[Via Email]

Steven F. Alder
Assistant Attorneys General
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
[Via Email]

Perihelion Global, Inc.
32 East County Highway 30-A, #201
Santa Rosa Beach, FL 32459

Bank of Jackson County
P.O. Drawer 677
5381 Clif Street
Graceville, FL 32440-0677



CERTIFICATE OF PUBLISHED NOTICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2012-004, Cause No. S/003/076 to be PUBLISHED in the following newspapers on the following days:

January 1, 2012:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

January 4, 2012:

Box Elder News Journal, a newspaper of general circulation in Box Elder County.

